

If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

ROW

CASE #

C15-2013-0017

#

10895969

Amended

CITY OF AUSTIN

APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

TP-02272 80405

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: ~~7700 Old Manor Road~~

7701 Springdale

LEGAL DESCRIPTION: Subdivision - Lot 1 Block A Manor Commercial Sec 1

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We George Drazic on behalf of myself/ourselves as authorized agent for

Efficient Land, LLC affirm that on Jan 21, 2013,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☒ X ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

Office/Warehouse/Shop Building - Phase I

Office/Warehouse - Phase II

Requesting 10' setback to adjacent lot appropriate for area, see note 14 on sheet #2

in LI-CO district.
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

Lot adjacent was temporarily zoned IRR incorrectly, as the plat restricts residential.

(e.g. not for residential) This created a 50' building setback. Loss of this space reduces

most usable land area by 15% compared to other lots in same subdivision. Neighboring properties are all industrial, including a concrete manufacturer, an aviation facility and an ice plant.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

It is the only adjacent lot to the annexed property. The other lines have 10' setbacks and are roadways.

- (b) The hardship is not general to the area in which the property is located because:

It is unique to the temporary and incorrect rezoning of adjacent lot when it was annexed.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will; not impair the purpose of the regulations of the zoning district in which the property is located because:

Correct. The variance will allow parking and flow interior to subject lot, reducing activity to adjacent lot. It will improve the function and appearance of the final site.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A-All parking regulations will be followed.

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

Correct. This variance will allow for better flow of traffic to this lot and away from other lots.

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:


Correct. No safety hazard will be created. Traffic flow will be improved.

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A - This is an issue specific to incorrect zoning of the adjacent lot.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.


APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address: 3405 Toro Canyon Road

City, State & Zip: Austin, Texas 78746

Printed: George Drazic Phone: 512-632-7464 Date: 01-18-13

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

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GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning, All other zonings) -See Current Fee Schedule for Applicable Fees (<http://www.austintexas.gov/department/fees>)
- (4) Other Information -- Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (5) Austin Energy approval

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

REQUIRED FINDINGS: All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

Reasonable Use:

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

Hardship:

- a. Application must demonstrate to the Board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested. (For example, topography, lot configuration, or any physical constraint that would limit the placement of the structure or prevent compliance with required site development regulations, etc.) A strictly financial or personal reason is not a valid hardship.
- b. Application must demonstrate to the Board why the hardship is not general to the area in which the property is located. Describe how the hardship relating to the site is different from other properties in the area.

Area Character:

Application must demonstrate to the Board how the variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the zoning regulations of the zoning district in which the property is located.

NOTE: Parking variances require additional findings to be made. The additional findings are listed on the application and must also be completed for submittal of the application.

Board of Adjustment Staff:

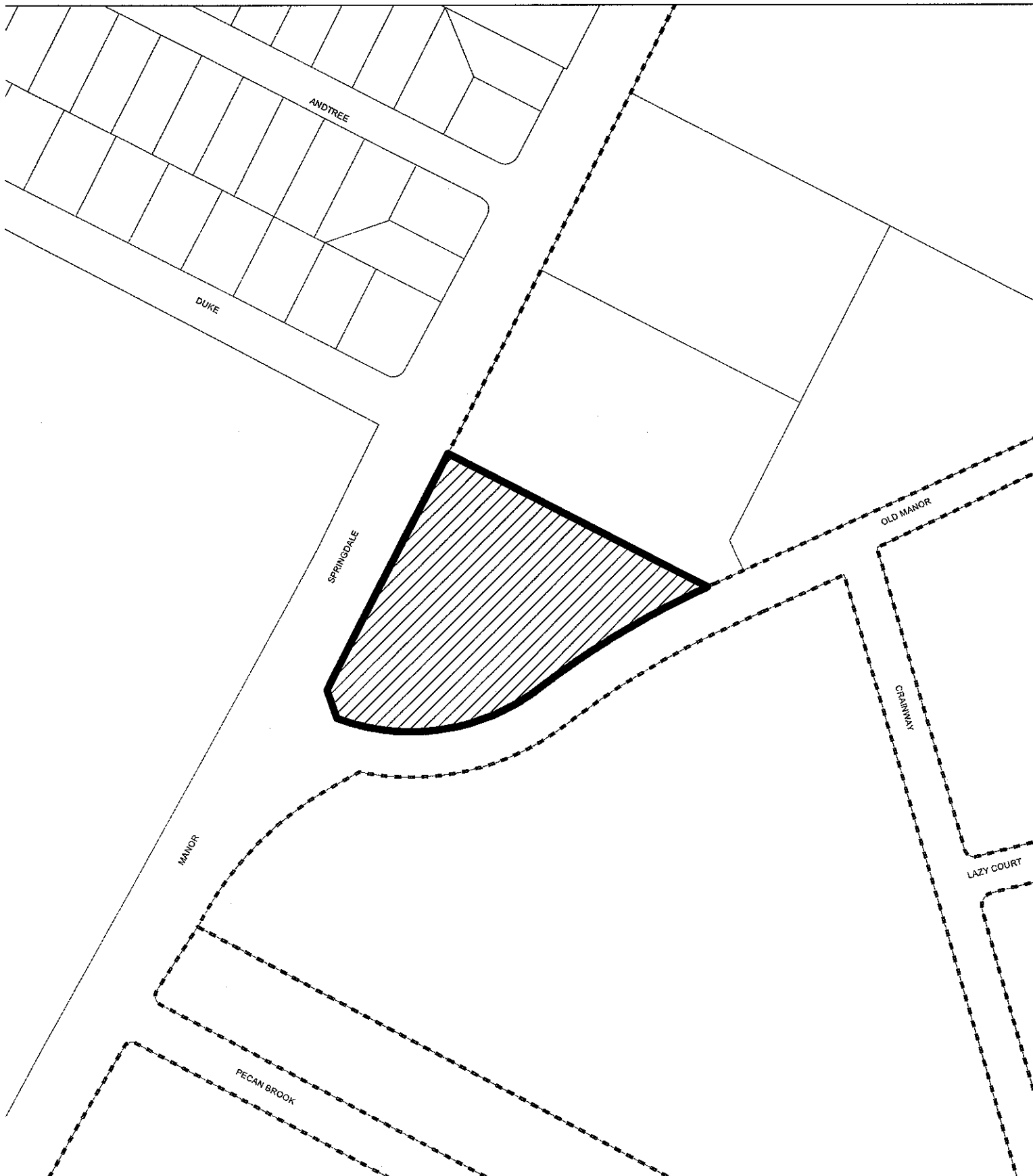
**Susan Walker, Planner
974-2202**

**Diana Ramirez, Administrative Specialist, Board Secretary
974-2241**

Fax #974-6536

**Planning and Development Review Department
One Texas Center
505 Barton Springs Road, 2nd Floor**

**Mailing Address:
P. O. Box 1088
Austin, TX 78767-1088**

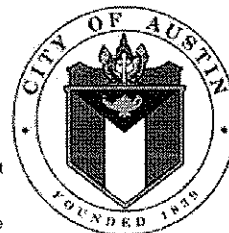


SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0017
LOCATION: 7701 SPRINGDALE



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Controller User

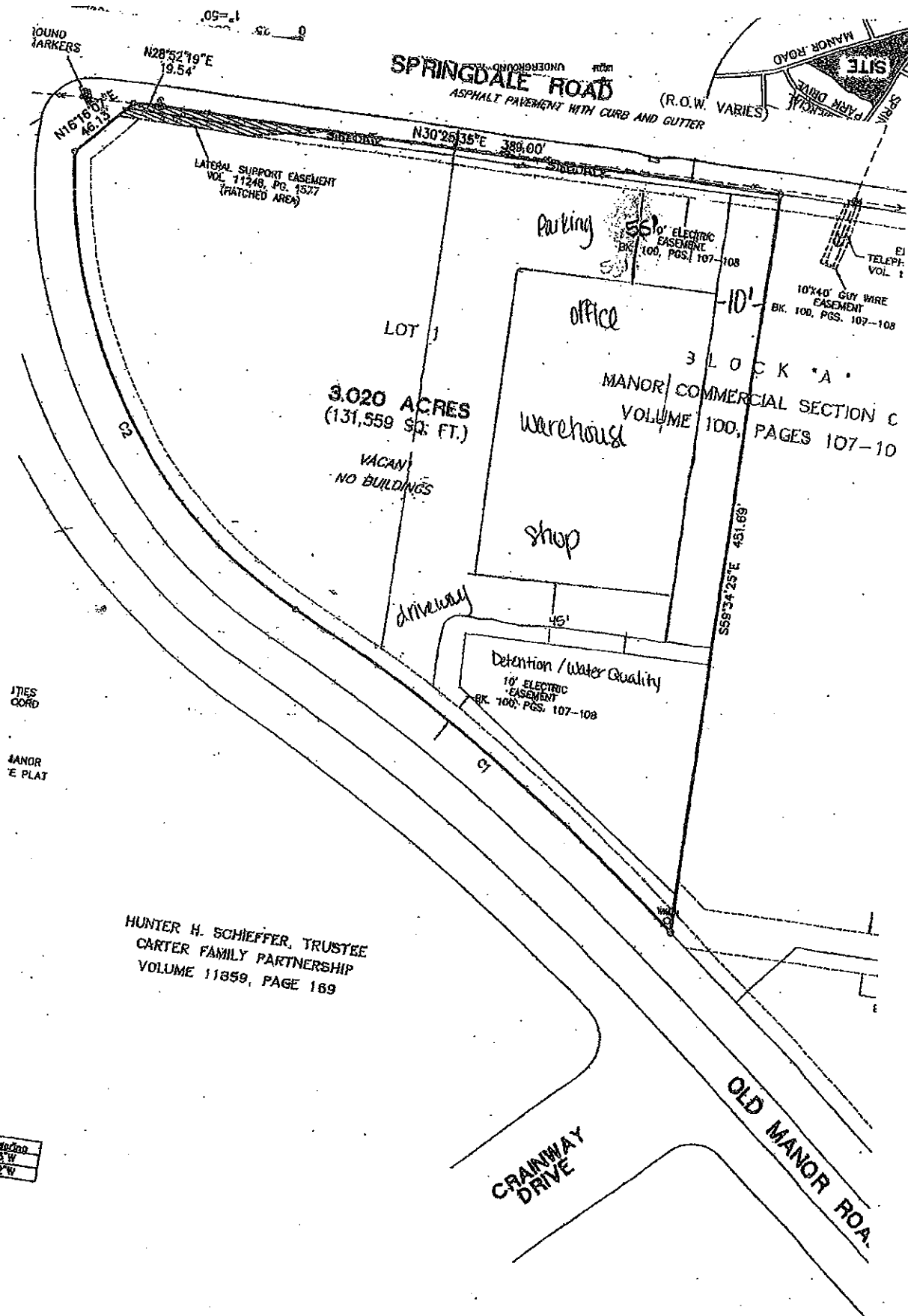
From: Lund, Lena <Lena.Lund@austinenergy.com>
Sent: Friday, January 25, 2013 2:16 PM
To: Controller User
Cc: Walker, Susan; Ramirez, Diana
Subject: Prelim BOA review request - 7700 Old Manor Road
Attachments: Scan 2.PDF

Hello Theresa,

Austin Energy (AE) has reviewed your application for the above referenced property requesting to reduce the northern side setback to 10 ft. Austin Energy does not oppose this request as described and shown on the attached red-stamped sketch.

Thank you for checking with us in advance. Should you have any questions, please feel free to contact me at 322-6587.

Lena Lund
Austin Energy
Public Involvement/Real Estate Services
512-322-6587



If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

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(check appropriate items below)

X ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

Office/Warehouse/Shop Building - Phase I

Office/Warehouse - Phase II

Requesting 10' setback to adjacent lot or whatever is appropriate for industrial use, see note 14 on sheet #2

in LI-CO district.
(zoning district)

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Correct. No safety hazard will be created.

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N/A

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

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City, State & Zip: Austin, Texas 78746

Printed: George Drazic Phone: 512-632-7464 Date: 01-18-13

UND
RKERS

N28°52'19"E
19.54'

SPRINGDALE ROAD

UNDERGROUND
ASPHALT PAVEMENT WITH CURB AND GUTTER
(R.O.W. VARIES)

OR ROAD
PARK DRIVE
1100'

N16°18'07"E
45.13'

LATERAL SUPPORT EASEMENT
VOL. 11248, PG. 1577
(HAICED AREA)

Phase II
Office

LOT-1

3.020 ACRES
(131,559 SQ. FT.)

VACANT
NO BUILDINGS

DEVELOPER

Phase I

MANOR COMMERCIAL SECTION
VOLUME 100, PAGES 107

Parking	29750 SF
Storage	4435 SF
Detention	7700 SF
Curb	1207 SF
Street Sidewalk	1100' x 5' = 5500 SF
Site Sidewalk	310' x 5' = 1550 SF
41 parking spaces	

Storage

10'x40' GUY W
EASEMENT
BLK 100, PGS. 107

E LOCK "A"
MANOR COMMERCIAL SECTION
VOLUME 100, PAGES 107

S59°34'25"E 451.69'

EASEMENT
100, PGS. 107-108
Detention
Water Retention

IES
JRD

WOR
PLAT

3K office

5K warehouse

10K shop

18K

HUNTER H. SCHIEFFER, TRUSTEE
CARTER FAMILY PARTNERSHIP
VOLUME 11359, PAGE 169

6/20/14

Scale 1"=50'

20' curb
24' ridge

3100
W
W

what will subdivide for

CRANWAY DRIVE

OLD MANOR

KNOW ALL MEN BY THESE PRESENTS X

2025 EXPIRATION BULLETIN
JUNE 2023
MUSTIN, TEXAS 78703

STATE OF TEXAS X
COUNTY OF TRAVIS X

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 2nd DAY OF July 1964

JUNE 16, 1998
 WYOMISSIOM EXPRESS
 JUNE 16, 1998
 WYOMISSIOM EXPRESS

A PORTION OF THIS TRACT LIES WITHIN THE LIMITS OF ZONE "A" 100-YEAR FLOODPLAIN, AS REFLECTED ON THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION (FEMA) COMMUNITY PANEL NO. 48433C00102E. DATED JUNE 18, 1993 FOR TRANS COUNTY, TEXAS AND INCORPORATED AREAS. THE 100-YEAR FLOODPLAIN IS CONTAINED WITHIN THE DRAINAGE EASEMENT SHOWN HEREON.

Paul H. Bess 10/31/97

I, JOHN T. SUNDORA, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF LAND SURVEYING, AND HEREBY CERTIFY THAT THIS CERTIFICATE COMPLIES WITH TITLE 13 OF THE AUSTIN CODE OF 1981, AS AMENDED, AND WAS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION.

2 of 2

C8-95-0229.01A

Bury+Pitman, Inc.
Consulting Engineers and Surveyors
Austin, Texas Tel 512/224-0011 Fax 512/208-0725
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[illegible]

Controller User

From: Lund, Lena <Lena.Lund@austinenergy.com>
Sent: Friday, January 25, 2013 2:16 PM
To: Controller User
Cc: Walker, Susan; Ramirez, Diana
Subject: Prelim BOA review request - 7700 Old Manor Road
Attachments: Scan 2.PDF

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Lena Lund
Austin Energy
Public Involvement/Real Estate Services
512-322-6587

UND RKERS
 N28°52'19"E 19.54'
 SPRINGDALE ROAD
 ASPHALT PAVEMENT WITH CURB AND GUTTER (R.O.W. VARIES)
 N30°25'35"E 389.00'
 PARK DRIVE
 10'X40' GUY W EASEMENT BK 100, PGS. 187

LATERAL SUPPORT EASEMENT
 VOL. 11248, PG. 1577
 (HATCHED AREA)

Phase II
 office

3.020 ACRES
 (131,559 SQ. FT.)

VACANT
 NO BUILDINGS

Phase I

MANOR COMMERCIAL SECTION
 VOLUME 100, PAGES 107.

Parking 29750 SF
 Storage 4435 SF
 Driveway 7700 SF
 Curb 1207 SF
 Street Sidewalk 1100'x5' = 5500 SF
 Site Sidewalk 310'x5' = 1550 SF
 41 parking spaces

EASEMENT
 100, PGS. 107-108
 Driveway
 Water Right

3K office
 5K warehouse
 10K shop
 18K

HUNTER H. SCHIEFFER, TRUSTEE
 CARTER FAMILY PARTNERSHIP
 VOLUME 11359, PAGE 169

6/20/12

Scale 1"=50'

20' wall
 24' ridge

What will subdivide

APPROVED BY
 AUSTIN ENERGY
 FOR BOA

DATE: 1/25/13

[Signature]

CRANWAY DRIVE

OLD MANOR